

MARK E. FERRARIO
Nevada Bar No. 01625
KARA B. HENDRICKS
Nevada Bar No. 07743
WHITNEY L. WELCH-KIRMSE
Nevada Bar No. 12129
GREENBERG TRAUIG, LLP
10845 Griffith Peak Drive, Suite 600
Las Vegas, Nevada 89135
Telephone: (702) 792-3773
Facsimile: (702) 792-9002
Email: ferrariom@gtlaw.com
hendricksk@gtlaw.com
welchkirmsew@gtlaw.com

*Attorneys for Defendants
Clark County School District, Ana Escamilla,
Sonya Holdsworth and Renee Mechem*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

K.H., a minor by and through his Guardian Ad
Litem UNIQUE BARNETT; A.K., a minor by and
through his Guardian Ad Litem KARA KARR;
and K.G., a minor by and through her Guardian Ad
Litem MARIA GARCIA, D.F., a minor by and
through his Guardian Ad Litem FRANCISCA
VALLIENTE,

Plaintiffs,

v.

CLARK COUNTY SCHOOL DISTRICT,
SHANE BUTUYAN, ANA ESCAMILLA,
SONYA HOLDSWORTH, RENEE MECHEM
and DOES I-50,

Defendants.

Case No. 2:21-cv-00218-APG-VCF

~~PROPOSED~~ ORDER GRANTING IN
PART CCSD'S MOTION TO COMPEL
RULE 35 PSYCHOLOGICAL
EXAMINATION OF MINOR
PLAINTIFFS K.H., A.K., K.G. AND D.F.
[ECF No. 48]

Having reviewed and considered Defendant CCSD's Motion to Compel Rule 35
Psychological Examination of Minor Plaintiffs K.H., A.K., K.G. and D.F. ("Motion") [ECF No. 48],
and having read and considered all papers filed in support thereof and in opposition thereto, and
having heard and considered the oral arguments of counsel on March 3, 2022, and with good cause
appearing, the Court orders as follows:

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ACTIVE 64128407v1

ORDER

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the Motion is hereby **GRANTED IN PART** and the Court orders as follows:

1. The Rule 35 Psychological Examination of minor Plaintiffs K.H., A.K., K.G. and D.F. shall take place on **May 13, 2022** and **May 14, 2022** by Defendant CCSD's Rule 35 examiner, Dr. Kimberly Lakes ("Rule 35 Examiner").¹
2. The Rule 35 Examinations of Plaintiffs shall not be recorded by video or audio.
3. The deadline for initial expert reports shall be **June 13, 2022**.
4. The deadline for rebuttal expert reports shall be **July 13, 2022**.
5. Expert discovery shall close on **August 15, 2022**.
6. The Parties shall have until **September 15, 2022** to file any dispositive motions.

The Court **FURTHER ORDERS** that the Examination be conducted under the following conditions:

- A. The Examinations shall be limited to the tests identified in the Motion at Exhibit G (Dkt. 48-7).
- B. The parents/guardians will not be asked to complete questionnaires or be interviewed by the Rule 35 Examiner.
- C. The parents/guardians² may accompany their child to the Examination and 1 parent/guardian may remain in the room with their child at all times, but will not assist the child to complete tests, answer the Examiner's questions or otherwise impede the Examination.
- D. Counsel for the parties are not permitted to attend the Examinations.
- E. The Examination of each Plaintiff may take place over two days but shall not exceed a maximum of 2 hours per day.

¹ If some unforeseen emergency arises which impacts completion of the Examination(s) at the scheduled dates and times, the parties will meet and confer regarding the same as soon as possible.

² D.F.'s brother Christopher Flores will accompany him during the examination.

F. The Examinations will take place in a conference room at Envision Legal Solutions located at 1050 Indigo Drive, Ste. 130, Las Vegas, Nevada 89145.

G. Breaks will be provided to the minor Plaintiffs as needed/requested.

IT IS SO ORDERED.



UNITED STATES MAGISTRATE JUDGE

Dated: 4-11-2022

Respectfully submitted by:
GREENBERG TRAURIG, LLP

/s/ Whitney Welch-Kirmse

WHITNEY L. WELCH-KIRMSE
(NV Bar No. 12129)
10845 Griffith Peak Drive, Ste. 600
Las Vegas, Nevada 89135
Attorneys for Defendants

APPROVED AS TO FORM AND CONTENT:

Dated: April 8, 2022
PANISH SHEA & BOYLE LLP

/s/ Adam Ellis

RAHUL RAVIPUDI
IAN SAMSON
ADAM ELLIS
Attorneys for Plaintiffs

Dated: April 8, 2022
**WALKUP, MELODIA, KELLY &
SCHOENBERGER**

/s/ Valerie N. Rose

KHALDOUN A. BAGHDADI
VALERIE ROSE
Attorney for Plaintiffs
Admitted Pro Hac Vice